

CITY COUNCIL MINUTES
JUNE 17, 2013
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)

A work session was held prior to the meeting. A presentation was given by Walter Gowell and David Haugeberg regarding an update on the Newberg-Dundee Bypass and funding. A second presentation was given by Steve Olson and Cody Gardner regarding portable and temporary signs. No action was taken and no decisions were made. All Councilors and the Mayor were present.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:12 PM.

II. ROLL CALL

Members Present:	Mayor Bob Andrews	Ryan Howard	Mike Corey
	Lesley Woodruff	Denis Bacon	Bart Rierson
	Stephen McKinney		

Staff Present:	Brian Casey, Police Chief	Mary Newell, Support Services Manager
	Paul Chiu, Senior Engineer	Lee Elliot, City Engineer
	Janelle Nordyke, City Finance	Terry Mahr, City Attorney
	Daniel Danicic, City Manager	Norma Alley, City Recorder
	Steve Olson, Associate Planner	Mandy Dillman, Minutes Recorder
	Cody Gardner, Enforcement Officer	

Others Present: Walter Gowell, David Haugeberg, Dave Huber, Michael Jefferies, Dean Kampfer, Greg Ryan, David Walsh, Loretta Pickerell, Peter Spendelow

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Mr. Daniel Danicic, city manager, reported the Summer Reading Program at the library started on Wednesday. Next Thursday the city will be celebrating Public Works Day at the library starting with a story time and followed by the fire truck being open for viewing, free lunch for kids, and much more. Friday the 28th will be the Fill the Boot event on River Street and First Street. He thanked all the police, fire, and public works employees who assisted with Ms. Joan Austin's memorial.

V. PUBLIC COMMENTS

Mayor Andrews opened and closed public comments as there was no one to testify.

VI. APPOINTMENTS

1. Consider appointing the best candidate to the Newberg City Council District #3 position.

Mayor Andrews recused councilor Denise Bacon who had a conflict of interest.

Mayor Andrews asked David Drews forth; however, he was not present.

Mayor Andrews asked Ms. Denise Bacon forward.

The councilors took turns asking Ms. Bacon questions. They began by asking her to tell them about herself. She replied she has lived in Newberg for fifteen years, has three children and four grandchildren. Over the years she has had many children in and out of her home because she hosts exchange students every year. This year she will have students from Egypt, Cypress, France, and Italy. Ms. Bacon also loves cooking, used to ride horses, is working on her masters in Public Administration, and likes dogs better than people.

They asked why she was interested in serving as a councilor: Ms. Bacon and her husband decided many years ago serving the community is more important than serving their own home. Her husband went to work and she became a volunteer. She feels being a city councilor is the ultimate volunteer job and loves to be able to work for the city and make citizen's lives better by helping set policy in the city.

What does she feel is the most critical issue facing the city of Newberg today: She replied the budget is the biggest issue as there is a lot to be done and no endless pot of money to accomplish it.

What does she think is the most positive attribute of the city: Ms. Bacon gave the example of the Newberg pet store burning down and the large amount of community support afterward. Additionally, she cooks for Peace Village Conflict Resolution Camp for children in Newberg and this year when they realized they did not have enough food she sent out an email asking for donations and within fifteen minutes she had a pledge of \$500.00. She said this is why she lives and works in Newberg.

Share with us your assessment of a recent decision of the city council: She explained the hardest decision she has had to make is the industrial urban growth boundary amendment. Personally she wants to preserve farm land; however, what the city needs for the future was what she perceived to be the most important decision.

Is she prepared to meet the time commitment of two council meetings each month (first and third Mondays), plus an occasional special council meeting and assignments to other special committees or boards: Ms. Bacon replied she has made it the last four years and then some, and sees no issue continuing to do so.

MOTION: **Rierson/Howard** re-appointing Denise Bacon to the Newberg City Council District #3 position. Motion carried (6 Yes/0 No/1 Abstain [Bacon]).

Mayor Andrews asked Councilor Bacon to rejoin the council.

2. Consider appointing Stuart Brown, Steve Comfort, and Terry Emery to the Affordable Housing Commission.

MOTION: **Corey/Bacon** appointing Stuart Brown, Steve Comfort, and Terry Emery to the Affordable Housing Commission. Motion carried (7 Yes/0 No).

VII. CONSENT CALENDAR

2. Consider a motion adopting **Resolution No. 2013-3055** approving the purchase of a replacement crane truck with a Freightliner Chassis.
3. Consider a motion adopting **Resolution No. 2013-3053** designating the assistant city manager to serve as city manager pro tem as circumstances warrant and establishing a subsequent chain of command.

4. Consider a motion approving the May 20, 2013, City Council meeting minutes.

MOTION: **Rierson/McKinney** adopting **Resolution No. 2013-3055** approving the purchase of a replacement crane truck with a Freightliner Chassis, **Resolution No. 2013-3053** designating the assistant city manager to serve as city manager pro tem as circumstances warrant and establishing a subsequent chain of command, and approving the May 20, 2013, City Council meeting minutes. Motion carried (7 Yes/0 No).

VIII. PUBLIC HEARINGS

1. Consider a motion approving the Ninth Street vacation and directing staff to prepare an Ordinance for final approval.

Discussion commenced in regards to the 9th Street vacation and it was decided to table the item until the August 2, 2013, city council meeting when both participants would be available for discussion.

Councilor Mike Corey expressed frustration that this item has been postponed so many times. He would prefer to make a decision tonight.

MOTION: **Bacon/Howard** tabling the motion and discussion until the August 2, 2013, City Council meeting. Motion carried (6 Yes/1 No [Corey]).

2. Presentation from Waste Management's results on their Dundee Curbside Glass Pilot Project.

Mr. Dave Huber, district manager of Waste Management, and Mr. Dean Kampfer, municipal relations manager, and Mr. Michael Jefferies, pricing manager, presented the staff report accompanied by a PowerPoint presentation (see official meeting packet for full report).

Councilor Lesley Woodruff asked where glass is currently taken from the depot. Mr. Kampfer replied it is sorted by color and goes directly to the processing plant. Councilor Bart Rierson asked what the rate increase would be if they were not including glass, and Mayor Andrews clarified for everyone the glass recycling rate is separate from the Waste Management (WM) rate increase request. Councilor Stephen McKinney asked if they generated more undesirable waste in the pilot program in conjunction with adding glass. Mr. Kampfer said they did; however, he said Dundee and Newberg have some of the cleanest recycling he has ever seen, meaning there was much less undesirable materials than other recycling cities. Mr. Kampfer further explained Rock Ten sorts out larger pieces of glass and then sends the small broken pieces with the paper to Renton where it is sorted out. The glass from Renton is then sent to eCullet and all they do is glass recycling. The glass is made back into bottles, fiberglass, or other low grade materials. He mentioned things will be happening to greatly help the process of glass recycling in Oregon in the next three to six months. Councilor Ryan Howard asked if glass that cannot be sorted out ends up in the landfill. Mr. Kampfer replied really small glass pieces which are mixed with paper fall to the bottom and cannot be recovered, but did not know percentages. He mentioned glass is a very low energy saver in the recycling world. Mayor Andrews asked if citizens could choose if they participate in adding glass recycling or not. Mr. Kampfer explained it would require two different trucks which would inevitably cost more money.

Mr. David Walsh, SP Fiber Technologies, came to represent the 225 employees and talk about the impact mixed glass recycling will have on their company. He showed the councilors bags of landfill material with pieces of glass in it that cannot be reused. They use 930 tons of recovered paper per day, which is 47 truck loads, and have to remove a ton and a half of materials to landfills every day. They understand the issues and support glass recycling, however when the glass is mixed with other recyclables it gets into the recycled paper and causes damage to their equipment. The materials from the Dundee mixed glass trial were not usable by their facilities and had to be sent to the landfill. Department of Environmental Quality (DEQ) says they cannot take materials they know will go to a landfill. If the city does co-mingled glass recycling, SP Fiber Technologies

will not be able to use the recovered paper at their paper mill. Paper milled locally saves money. Mr. Walsh explained the tiny pieces of broken glass breaks down a seal on one of their sorting machines which should last ten years, but only lasts two with glass in the paper and costs them \$110,000.00 to replace. Additionally, it takes over 48 hours to replace the sorting machine and they have to shut the plant down to do so. They could invest in different equipment, but do not have the money. Mr. Walsh and SP Fiber Technologies asked the council to reconsider co-mingled glass recycling. Councilor Howard asked if there were future technologies or processors which could deliver a better quality of paper without the glass in it. Mr. Walsh said it is very difficult to remove the glass. Councilor Howard wondered if metal is causing similar issues, or if only the glass is hard on their machines. Mr. Walsh said the separation process takes out most of the staples and paper clips; however they are much less abrasive on the machines. Councilor Howard asked if he had previously purchased waste paper from WM or if it had always been from a processing facility. Mr. Walsh answered approximately one third of their waste paper comes directly from Newberg. Councilor Howard questioned if they could buy more pure paper. Mr. Walsh said all paper contains glass today.

Mr. Peter Spendelow and Ms. Loretta Pickerell, both from DEQ, appreciate the city and WM interest to increase glass recycling. However, they have concerns with glass co-mingling. Mr. Spendelow said dual stream recycling with glass on the side is the intentional aspect of glass recycling programs of Oregon. Mr. Spendelow explained DEQ has worked with WM in the past and mentioned the importance of recycling is not to keep it out of the landfill, but to take good quality materials to manufacture good quality items. When glass is co-mingled it gets more and more worked into other materials and there is a process to remove, however only the bigger pieces come out. eCullet is building a facility in Portland, but they cannot separate out the tiny glass shards. They are able to recover 50-60% of the recycled glass, which means 1/3 to 1/2 cannot be recovered. Those who are taking the time to recycle glass do not want the remaining third going to the landfill. He said they are hoping to meet with the cities and Yamhill County to come up with other ideas to get glass recycling that will work for everyone, and are asking council for additional time before a decision. Councilor Howard asked if the focus should really be on reusing materials instead of preventing things from entering the system. Mr. Spendelow reiterated glass is a very low value item to reuse; you still have to melt it down and take energy to remake it into something. Ms. Pickerell pointed out it is better to keep glass out altogether versus co-mingling it with other recyclables because of its low value. Councilor Woodruff asked if paper is the only recyclable glass causes issues with. Mr. Spendelow replied paper is the biggest.

Mr. Kampfer spoke in reply to Mr. Walsh, Mr. Spendelow, and Ms. Pickerell's testimonies stating they have no issue doing curbside versus co-mingling; WM presented the co-mingling option because it is the most cost effective for the city. He stated 75% of the United States uses co-mingled recycling and 65% of the waste SP Fiber Technologies takes in is already contaminated with glass. DEQ has no policy on this issue, and Eugene has a good example of a better processing program.

Mr. Greg Ryan, general manager of RockTenn, said the East coast does a lot of single stream recycling and in order to do so they have invested in machinery that can process the co-mingled recyclables. He mentioned SP Fiber Technologies sends 107 tons of materials they cannot recycle to the landfill, however only one ton of that is glass. Councilor Mike Corey asked what was coming in the future to help eliminate glass getting into paper. Mr. Ryan replied some processors in California can get 80-90% of their glass out of recycling, and some un-recyclable glass in Portland is used in road base instead of going to a landfill.

Councilor Corey asked what it would cost to recycle glass separately. Mr. Kampfer answered they do not have the number currently, however it would be significantly more because they would need to add a truck as well as a driver to pick up the glass.

3. Consider a motion adopting **Resolution No. 2013-3054** approving a rate increase request by Waste Management and establishing a curbside glass pick up for residential customers.

Mr. Jefferies stated the operating ratio for last year was 92.6%. The last rate increase they had was July 1, 2011, during which time they observed more expenses for the disposable passport. Mr. Kampfer mentioned they had been recognized for top shop of truck maintenance and it has helped keep costs down. The rate increase is reasonable and the CPR adjustments over the past years were 5.4%, so they are asking for a 4.7% increase. The 4.7% increase will allow them to get their operating ratio back to 90% and earn a reasonable rate of return. Rates will increase to \$21.30 for the smaller bin and \$24.90 for the larger bin.

Discussion commenced on changing garbage pick up to every other week and how that would work in Newberg.

Mayor Andrews opened and closed public testimony as there was no one to testify.

Staff recommends adopting Resolution No. 2013-3054 approving a rate increase request by Waste Management and establishing a curbside glass pick up for residential customers.

Mayor Andrews asked if there is anything in the franchise agreement that specifies operation ratio. Mr. Mahr said there is not and they considered 10% a fair return on their money. They discussed it in negotiating with Dundee and allowed for language for reasonable return.

Councilor Howard thanked WM for being responsive to their request. He assured them it does not mean they will not continue to consider glass recycling, however in light of the information presented tonight he asked the Council to postpone the decision on glass recycling until a later date so they can hear more from DEQ and SP Newsprint.

MOTION: **Howard/Rierson** adopting **Resolution No. 2013-3054** approving a rate increase request by Waste Management, deleting resolves number three, and postponing voting on curbside glass recycling until a later date. Motion carried (7 Yes/0 No).

IX. NEW BUSINESS

1. Consider a motion adopting **Resolution No. 2013-3060** approving a loan agreement with the Oregon Department of Transportation for funding from Oregon Transportation Infrastructure Fund for the Newberg-Dundee Bypass Phase 1.

TIME – 9:20 PM

Staff recommends adopting **Resolution No. 2013-3060** approving a loan agreement with the Oregon Department of Transportation for funding from Oregon Transportation Infrastructure Fund for the Newberg-Dundee Bypass Phase 1.

MOTION: **Rierson/McKinney** adopting **Resolution No. 2013-3060** approving a loan agreement with the Oregon Department of Transportation for funding from Oregon Transportation Infrastructure Fund for the Newberg-Dundee Bypass Phase 1 and check the box for state to deduct the loan fee and be dispersed by the borrower. Motion carried (7 Yes/0 No).

2. Consider a motion adopting **Resolution No. 2013-3052** authorizing the city manager to execute an IGA with ODOT for College Street right-of-way services. (Pgs. 7-54)

Mr. Danicic informed the council ODOT has decided the right-of-way acquisition costs are greater than estimated and will have to allocate more of the budget toward right-of-way. The bottom line will stay the same,

and the city's obligation does not change, but it means fewer construction dollars in the end. They will need to amend the IGA to recognize the shortage of funds, which will not change the scope of the project, but instead they hope the project will be bid at a lower than anticipated cost to the city will see no financial impact.

Discussion commenced on possible outcomes if bids come in higher or lower, with a high possibility they will come in low (see meeting packet for additional information).

MOTION: Corey/Bacon adopting **Resolution No. 2013-3052** authorizing the city manager to execute an IGA with ODOT for College Street right-of-way services. Motion carried (7 Yes/0 No).

X. COUNCIL BUSINESS

TIME – 9:58 PM

Mrs. Norma Alley, city recorder, handed out council compensation worksheets.

Mr. Danicic spoke about dates for the council goal setting session, with September 23, 2013, at 6:00PM being the decided upon time.

Mr. Danicic explained the 2013/2014 Fiscal Year Budget included the cost of living and merit increases for all staff. It was missed by staff to include the 1% incentive pay for department heads. The Council can expect to see this in a future supplemental budget.

Councilor Rierson expressed concern for the current state of landscaping in the medians.

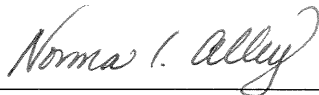
Discussion commenced on having someone come speak about trash and recycling and their impacts on the community.

Mr. Danicic explained if council does not further discuss portable signs and no further action is taken, staff will go back to enforcing the current sign regulations. Mayor Andrews asked for continued reduced enforcement to allow for an ad-hoc group to further explore the issue.

XI. ADJOURNMENT

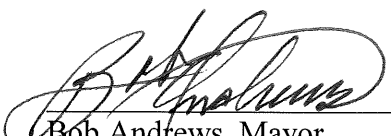
Meeting adjourned at 10:23 PM

ADOPTED by the Newberg City Council this 15th day of July, 2013.



Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 18th day of July, 2013.



Bob Andrews, Mayor